

Waterfront land e-tool

The Department of Planning and Environment is responsible for issuing all controlled activity approvals in accordance with the *Water Management Act 2000* for work carried out on waterfront land.

Any work carried out on waterfront land is a controlled activity. Waterfront land is the bed of any river, lake or estuary, and the land within 40 metres of the highest bank of the river, the shore of the lake or the mean high water mark of the estuary.

Introducing the Waterfront land e-tool

The **Waterfront land e-tool** is a simple and easy-to-use online application that helps you determine if your proposed development is located on waterfront land and therefore may require a controlled activity approval from the department.

The tool requires you to answer a series of multiple-choice questions and will email you an answer to the key question 'Is my proposed work located on waterfront land?'

You can find the **Waterfront land e-tool** on the department's website at water.dpie.nsw.gov.au/licensing-and-trade/approvals/controlled-activity-approvals/what/guidelines.

Who the e-tool is for

The tool should be used by all applicants, developers, consultants and local councils who wish to check whether they require a controlled activity approval from the department. The tool can be used:

- as part of a preliminary site investigation or assessment
- at the pre-development application stage to understand if it is an integrated development and referred to the department
- to provide evidence to your local council regarding the need to refer your matter to the department
- as a tool to support riparian mapping and watercourse assessment for major land releases and rezoning.

Using this e-tool can save you time and money. We receive almost 1,000 integrated development referrals for controlled activity approval each year. Many of these are not on waterfront land and don't need an approval.

How the e-tool works

The tool is divided into 3 main components:

1. desktop assessment
2. field-based assessment
3. results

Once you have completed the desktop assessment and field-based assessment, the tool will email you a result, for example, 'Controlled activity approval not required – no watercourse'.

The tool contains all the photos, diagrams and links needed to answer each question.

Figure 1. An example of a question within the tool

Question 8 - Determining the high bank

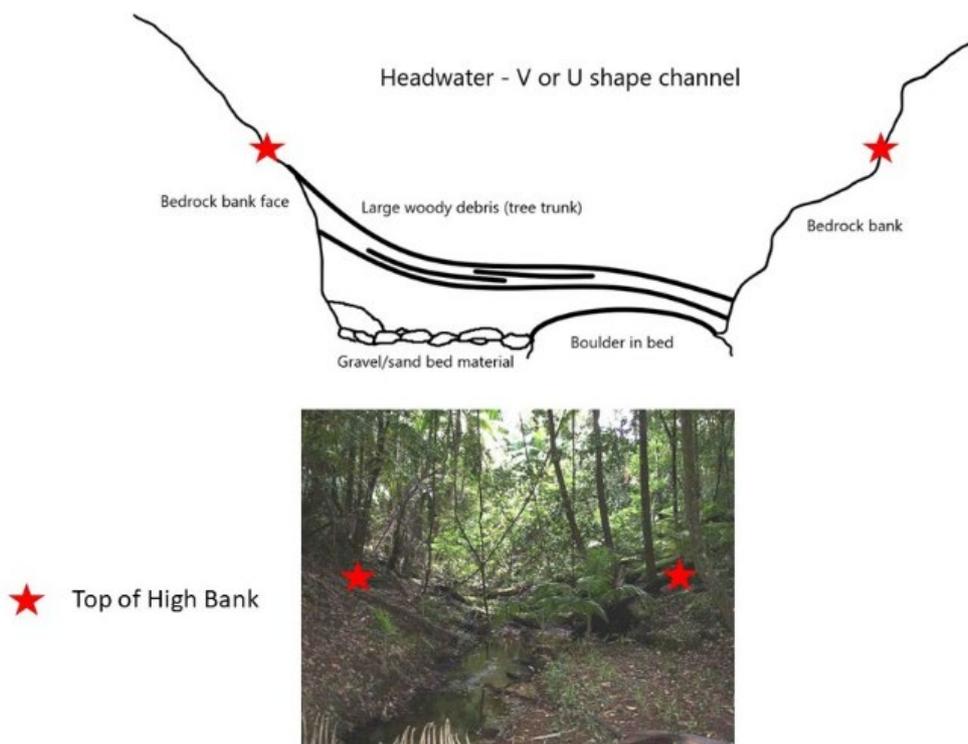
Using the photos and diagrams below, locate the high bank of the watercourse type identified in Question 4b.

Are the proposed works within 40m of the high bank? *

Yes

No

Figure 2. A diagram and photo from the tool



In answering each question, you may be asked to provide supporting evidence for the answer. The evidence required is listed in the tool. It is important that you keep this supporting evidence as a record of your decision-making.

The Natural Resource Access Regulator (NRAR) may request copies of the completed tool and supporting documents from the landholder where works are carried out without a controlled activity approval.

Disclaimer

You should not use the results from this e-tool as evidence of compliance with the *Water Management Act 2000*. Users are responsible for making their own assessment and should verify all relevant representations, statements and information with their own professional advisers.

The tool is not an approval to undertake work on waterfront land and you will still need to obtain relevant approvals as required under the *Water Management Act 2000* and other relevant legislation.

This tool only applies to controlled activities on waterfront land – it does not apply to water access licences or water supply work and/or water use approvals.

Users should also refer to the disclaimer in the e-tool.

Exemptions

Once you have determined you are on waterfront land, your proposed activity may be exempt from the need to obtain a controlled activity approval.

Please use the **Controlled activity exemption e-tool** on the department's website at: water.dpie.nsw.gov.au/licensing-and-trade/approvals/controlled-activity-approvals/what/guidelines.

More information

- For more information about licencing and approvals, visit the department's website at water.dpie.nsw.gov.au/licensing-and-trade.
- Copies of the acts and associated regulations are available on the NSW Government legislation site at www.legislation.nsw.gov.au.

If you think you need to make a controlled activity application, our easy-to-use online support tool Water Assist can help you. Visit www.dpie.nsw.gov.au/water/water-assist.